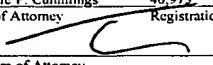


I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 on October 16, 2002.

Theodore P. Cummings	40,973
Name of Attorney	Registration No.
	
Signature of Attorney	

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OCT 23 2002
TC 1700 #9

Case 8072M

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :
Stephen Paul Zimmerman, et al. : Conf. No. 2167
Serial No.: 09/851,040 : Group Art Unit: 1761
Filed: May 8, 2001 : Examiner: S.J. Castellano
Title: SNACK PIECE DESIGN HAVING INCREASED PACKED DENSITY

RESPONSE TO RESTRICTION REQUIREMENT

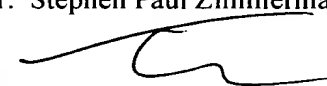
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action dated September 24, 2002 in the above-identified patent application. The Examiner is respectfully requested to reconsider the application in view of the following remarks. Applicants hereby traverse the Restriction Requirement made by the Examiner and provisionally elect Claims 1-23 and 28-29, drawn to snack pieces with a volumetric bulk density, classified in class 426, subclass 106.

Applicants reserve the right to file a petition from requirement for restriction pursuant to 37 C.F.R. §1.144.

Respectfully submitted,
For: Stephen Paul Zimmerman, et al.

By 
Theodore P. Cummings
Attorney for Applicants
Reg. No. 40,973

Customer Number 27752

October 16, 2002



I hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office as follows: by mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on October 16, 2002

Theodore P. Cummings 40,973
Name of Attorney/Agent Registration No.
Signature of Attorney

1761
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TC 1700

IN THE UNITED STATES PATENT & TRADEMARK OFFICE
RESPONSE/AMENDMENT

Case Docket No. 8072M

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an AMENDMENT for the patent application:

Inventor(s): Zimmerman, et al. Confirmation No. 2167

Serial No.: 09/851,040 Group Art Unit: 1761

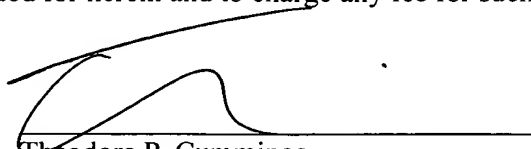
Date Filed: May 8, 2001 Examiner: S.J. Castellano

Title: SNACK PIECE DESIGN HAVING INCREASED PACKED DENSITY

1. ☒ No additional fee is known to be required.
2. ☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA*	RATE	FEE
TOTAL	*	MINUS	***	=	x \$18 =	\$
INDEP.	*	MINUS	****	=	x \$84 =	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$280 =	\$
					TOTAL	\$

3. ☐ The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$ for a -month extension of time.
4. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
 - a. ☒ Any patent application processing fees under 37 CFR §1.16.
 - b. ☒ Any patent application processing fees under 37 CFR §1.17.
5. The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.


Theodore P. Cummings
Attorney or Agent for Applicant(s)
Registration No. 40,973
Tel. No. (513) 634-1906

Date: October 16, 2002
Customer No. 27752